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LC002042/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES REPORTING

Introduced By: Representatives DeSimone, Craven, Ruggiero, Abney, and Hearn

Date Introduced: March 05, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-25-11 of the General Laws in Chapter 17-25 entitled "Rhode
2 Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as
3 follows:

4 **17-25-11. Dates for filing of reports by treasurers of candidates or of committees. --**

5 (a) During the period between the appointment of the campaign treasurer for state and municipal
6 committees and political action committees, or in the case of an individual, the date on which the
7 individual becomes a "declared or undeclared candidate", as defined in § 17-25-3(2), except when
8 the ninety (90) day reporting period ends less than forty (40) days prior to an election, in which
9 case the ninety (90) day report shall be included as part of the report required to be filed on the
10 twenty-eighth (28th) day next preceding the day of the primary, general, or special election
11 pursuant to subdivision (2) of this subsection, and the election, with respect to which
12 contributions are received or expenditures made by him or her in behalf of or in opposition to a
13 candidate, the campaign treasurer of a candidate, a political party committee, or a political action
14 committee shall file a report containing an account of contributions received and expenditures
15 made on behalf of or in opposition to a candidate:

16 (1) At ninety (90) day intervals commencing on the date on which the individual first
17 becomes a candidate, as defined in § 17-25-3(2);

18 (2) In a contested election, on the twenty-eighth (28th) and seventh (7th) days next

1 preceding the day of the primary, general, or special election; provided, that in the case of a
2 primary election for a special election, where the twenty-eighth (28th) day next preceding the day
3 of the primary election occurs prior to the first day for filing declarations of candidacy pursuant to
4 § 17-14-1, the reports shall be due on the fourteenth (14th) and seventh (7th) days next preceding
5 the day of the primary election for the special election; and

6 (3) A final report on the twenty-eighth (28th) day following the election. The report shall
7 contain:

8 (i) The name and address and place of employment of each person from whom
9 contributions in excess of a total of one hundred dollars (\$100) within a calendar year were
10 received;

11 (ii) The amount contributed by each person;

12 (iii) The name and address of each person to whom expenditures in excess of one
13 hundred dollars (\$100) were made; and

14 (iv) The amount and purpose of each expenditure.

15 (b) Concurrent with the report filed on the twenty-eighth (28th) day following an
16 election, or at any time thereafter, the campaign treasurer of a candidate, or political party
17 committee or political action committee, may certify to the board of elections that the campaign
18 fund of the candidate, political party committee, or political action committee having been
19 instituted for the purposes of the past election, has completed its business and been dissolved or,
20 in the event that the committee will continue its activities beyond the election, that its business
21 regarding the past election has been completed; and the certification shall be accompanied by a
22 final accounting of the campaign fund, or of the transactions relating to the election, including the
23 final disposition of any balance remaining in the fund at the time of dissolution or the
24 arrangements which have been made for the discharge of any obligations remaining unpaid at the
25 time of dissolution.

26 (c) [\(1\)](#) Once the campaign treasurer certifies that the campaign fund has completed its
27 business and been dissolved, no contribution which is intended to defray expenditures incurred on
28 behalf of or in opposition to a candidate during the campaign can be accepted. Until the time that
29 the campaign treasurer certifies that the campaign fund has completed its business and been
30 dissolved, the treasurer shall file reports containing an account of contributions received and
31 expenditures made at ninety (90) day intervals commencing with the next quarterly report
32 following the election; however, the time to file under this subsection shall be no later than the
33 last day of the month following the ninety (90) day period, except when the last day of the month
34 filing deadline following the ninety (90) day reporting period occurs less than twenty-eight (28)

1 days before an election, in which case the report shall be filed pursuant to the provisions of
2 subdivisions (a)(1) and (2) of this section. Provided, however, if the last day of the month falls on
3 a weekend or a holiday, the report shall be due on the following business day.

4 (2) In addition to the reports required pursuant to this section, a candidate or office holder
5 shall also file with the board of elections a paper copy of the account statement from the office
6 holder's campaign account, which account statement shall be the next account statement issued by
7 their financial institution after the filing of the fourth quarterly campaign expense report. The
8 account statement shall be submitted to the board within thirty (30) days of its receipt by the
9 candidate, officeholder, treasurer or deputy treasurer. The account statement shall not be deemed
10 a public record pursuant to the provisions of chapter 2 of title 38. The board of elections, its
11 agents and employees shall not publish, deliver, copy, or disclose, to any person or entity any
12 account statement or information contained therein for any candidate, former candidate,
13 officeholder, or party or political action committee. Provided, as to state and municipal political
14 parties, the requirements of this subsection (c)(2) shall apply to the annual report required
15 pursuant to § 17-25-7.

16 (d) (1) There shall be no obligation to file the reports of expenditures required by this
17 section on behalf of or in opposition to a candidate if the total amount to be expended in behalf of
18 the candidacy by the candidate, by any political party committee, by any political action
19 committee, or by any person shall not in the aggregate exceed one thousand dollars (\$1,000).

20 (2) However, even though the aggregate amount expended on behalf of the candidacy
21 does not exceed one thousand dollars (\$1,000), reports must be made listing the source and
22 amounts of all contributions in excess of a total of one hundred dollars (\$100) from any one
23 source within a calendar year. Even though the aggregate amount expended on behalf of the
24 candidacy does not exceed one thousand dollars (\$1,000) and no contribution from any one
25 source within a calendar year exceeds one hundred dollars (\$100), the report shall state the
26 aggregate amount of all contributions received. In addition, the report shall state the amount of
27 aggregate contributions that were from individuals, the amount from political action committees,
28 and the amount from political party committees.

29 (e) On or before the first date for filing contribution and expenditure reports, the
30 campaign treasurer may file a sworn statement that the treasurer will accept no contributions nor
31 make aggregate expenditures in excess of the minimum amounts for which a report is required by
32 this chapter. Thereafter, the campaign treasurer shall be excused from filing all the reports for that
33 campaign, other than the final report due on the twenty-eighth (28th) day following the election.

34 (f) A campaign treasurer must file a report containing an account of contributions

1 received and expenditures made at the ninety (90) day intervals provided for in subsection (c) of
2 this section for any ninety (90) day period in which the campaign received contributions in excess
3 of a total of one hundred dollars (\$100) within a calendar year from any one source and/or made
4 expenditures in excess of one thousand dollars (\$1,000) within a calendar year; however, the time
5 to file under this subsection shall be no later than the last day of the month following the ninety
6 (90) day period, except when the last day of the month filing deadline following the ninety (90)
7 day reporting period occurs less than twenty-eight (28) days before an election, in which case the
8 report shall be filed pursuant to the provisions of subdivisions (a)(1) and (2) of this section.
9 Provided, however, if the last day of the month falls on a weekend or a holiday, the report shall be
10 due on the following business day.

11 (g) (1) The board of elections may, for good cause shown and upon the receipt of a
12 written or electronic request, grant a seven (7) day extension for filing a report; provided, that the
13 request must be received no later than the date upon which the report is due to be filed.

14 (2) Any person or entity required to file reports with the board of elections pursuant to
15 this section and who has not filed the report by the required date, unless granted an extension
16 pursuant to subdivision (1) of this subsection, shall be fined twenty-five dollars (\$25.00).
17 Notwithstanding any of the provisions of this section, the board of elections shall have the
18 authority to waive late filing fees for good cause shown.

19 (3) The board of elections shall send a notice of non-compliance, by certified mail, to
20 any person or entity who fails to file the reports required by this section. A person or entity who is
21 sent a notice of non-compliance and fails to file the required report within seven (7) days of the
22 receipt of the notice shall be fined two dollars (\$2.00) per day from the day of receipt of the
23 notice of non-compliance until the day the report has been received by the state board.
24 Notwithstanding any of the provisions of this section, the board of elections shall have the
25 authority to waive late filing fees for good cause shown.

26 SECTION 2. This act shall take effect January 1, 2016.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
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1 This act would require candidates and political action committees to file a copy of the
2 next bank statement from their campaign account that is issued after they file their final on-going
3 quarterly campaign finance report to the board of elections.

4 This act would take effect on January 1, 2016.

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